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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 DANIEL R. HEACOCK,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of
10 Social Security,

11 Defendant.

Case No. 11-5368 RJB-KLS

REPORT AND RECOMMENDATION

12 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.
13 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.
14 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for
15 remand. (ECF #18). After reviewing the parties' stipulated motion and the remaining record, the
16 undersigned recommends that the Court grant the parties' motion, and remand this matter to the
17 Commissioner for further proceedings including a de novo hearing pursuant to sentence four of
18 42 U.S.C. § 405(g).
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20 This Court recommends that on remand the Administrative Law Judge will be instructed
21 to: (1) Update the treatment evidence on Plaintiff's medical condition; (2) evaluate the treating
22 source opinion from Joseph H. Leas, D.P.M., explaining the weight given to this evidence; (3)
23 evaluate Plaintiff's residual functional capacity based upon the updated record, citing specific
24 evidence in support of the assessed limitations; (4) further consider whether Plaintiff has past
25 relevant work he could perform with the limitations established by the evidence; and (5) as
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1 appropriate, secure supplemental evidence from a vocational expert to clarify the effect of the
2 assessed limitations on Plaintiff's occupational base. The ALJ will consolidate these claims.
3 The parties agree that reasonable attorney fees should be awarded, upon proper application,
4 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

5 Given the fact of the parties' stipulation, the Court recommends that the District Judge
6 immediately approve this Report and Recommendation and order the case **REVERSED** and
7 **REMANDED**. A proposed order accompanies this Report and Recommendation.
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9 DATED this 13th day of January, 2012.

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12 Karen L. Strombom
13 United States Magistrate Judge
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